

UNITED STATES OF AMERICA,)
)
 Petitioner,)
)
 vs.) Case No: 4:11CR00235HEA
)
 KENNETH TURNER,)
)
 Respondent.)

This matter is before the Court on Respondent's Motion for Relief Under First Step Act of 2018, Senate Bill 115-756 [Doc. No. 133]. The Office of Herman Jimerson entered appearance on behalf of Respondent and responded further on behalf of Respondent Turner. For the reasons set forth below, the Motion is denied.

On July 9, 2012 Respondent was sentenced to 120 months on charges of Conspiracy to Possess with Intent to Distribute and Conspiracy to Commit Money Laundering. On July 19, 2019 Respondent filed his Motion for Release Under First Step Act [Doc. #133] and Request for Hearing [Doc. #135]. He seeks compassionate release pursuant to 34 U. S. C. §60541.

This Court has fully reviewed the file and all its documents filed by the parties, including the response by the United States that Respondent has been reviewed by the United States Probation Office in the District of Arizona for relocation upon release in Arizona. It appears from the record that he is being considered for release under the Elderly Offender Program (First Step Act).

CONCLUSION

Based upon the foregoing review and analysis, the request for hearing will be denied and the motion for relief will be denied without prejudice to refile in the event of an adverse decision.

Accordingly,

IT IS HEREBY ORDERED that the Motions [Docs. #133 and #135], are denied.

Dated this 4th day of October, 2019.

A handwritten signature in black ink, appearing to read "Henry Edward Autrey", is written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE